

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

1. I am a Special Agent (SA) employed by the United States Department of Homeland Security, Homeland Security Investigations (HSI), and have been so since May of 2018. Since December of 2018, I have been assigned to the HSI office in Bangor, Maine. I have received formal training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA in addition to approximately six months of on-the-job training. Prior to becoming a SA with HSI, I was an Intelligence Analyst with the Federal Bureau of Investigation for approximately ten years.

2. I submit this affidavit in support of the filing of a criminal complaint charging Margarito Lucero-Luis with violating Title 8, United States Code, Section 1324(a)(1)(A)(ii). The information contained in this affidavit is based on my training and experience, discussions with other law enforcement agents, and/or reading of investigative reports and other materials.

BACKGROUND OF INVESTIGATION AND PROBABLE CAUSE

3. On July 23, 2019, United States Border Patrol (USBP) Agents were informed that Maine State Police had pulled over a motor vehicle, and were requesting assistance with translation for the eight individuals in the motor vehicle. Maine State Police stopped the motor vehicle suspecting the driver may be under the influence of intoxicants due to the driver crossing the center line on four separate occasions in the area of Bridgewater, Maine.

4. USBP Agents arrived on scene at approximately 10:00 p.m., identified themselves to the occupants, and conducted an immigration inspection. During that inspection, the agents identified the eight subjects as Margarito Lucero-Luis, Rosa de Jesus-Carreon, Humberto Jose Lopez-Herrada, Brandonly Martinez-Bazan, Martin Moran-Martinez, Juan Arturo Othon-Mejia, Pablo Salas-Negrete, and Ulises Vigil-Romero.

5. The driver was identified by a valid Connecticut state driver's license as Margarito Lucero-Luis. Lucero-Luis was driving a rented 2019 black Chevy Tahoe out of Connecticut. When asked about his citizenship, Lucero-Luis stated, "Mexico." Lucero-Luis further admitted he did not have any passport or immigration documents allowing him to enter or remain in the United States. He stated he had been in the United States for twenty-five years, and currently resided in New York.

6. The seven other individuals were questioned as to their legal status in the United States. All stated they were citizens of Mexico, and none had valid immigration documents.

7. Moran-Martinez, Martinez-Bazan, Vigil-Romero, and Salas-Negrete agreed to answer questions. All indicated they crossed the border on foot from Canada into the United States illegally in hopes of finding employment. Martinez-Bazan also crossed in hopes of seeing his wife.

8. When the individuals were asked if Lucero-Luis knew they had entered into the United States illegally, their answers were either, "no" or "I don't know." All denied paying Lucero-Luis money to transport them. They did identify Lucero-Luis as the individual who picked them up when they emerged from the brush.

9. USBP Agents spoke to Lucero-Luis, and he told them he was to be paid \$1000.00 for picking up the individuals, and bringing them back to New York.

10. Lucero-Luis had a phone with him, and consented to have his phone searched by law enforcement. The search of Lucero-Luis' phone revealed a partial text message conversation from "Master 33." The recovered portion of the conversation revealed that Master 33 sent Lucero-Luis a Google map location pin at 11:08 a.m. on July 23, 2019. The message read, "chinceta cerca de E Ridge Rd, Mars Hill, ME 04758" (translated: "pushpin Near E Ridge Rd, Mars Hill, ME 04758"). Lucero-Luis rented the Chevy Tahoe at 11:01 a.m. on July 23, 2019, and it was to be returned on July 24, 2019

by 9:30 a.m. Another text on that same day from Master 33 read, “Confirma si y ate llego” (translated: “confirm when you arrive”). There is a text at 11:12 a.m. on July 23, 2019 from Master 33 that states, “ok 9 y media va” (translated: “ok, 9:30 go”). Lucero-Luis and the other aliens were stopped by Maine State Police at approximately 10:00 p.m. on July 23, 2019 in Bridgewater, Maine which is within a few miles of Mars Hill, Maine. The phone also showed calls from Master 33 on July 19, 22, and 23, 2019.


11. On July 24, 2019, USBP agents went to the area of the Google map location pin from Lucero-Luis’ phone. The area is very rural with minimal vehicle traffic. In relatively close proximity to the Google map location pin, the agents found multiple shoeprints on a remote path at the U.S.-Canadian border. The agents followed the shoeprints west for .80 miles and then southwest for .53 miles until the shoeprints emerged onto East Ridge Road in Mars Hill, Maine. The nearest residence to this location was over a quarter of a mile away. USBP agents compared the shoeprints where they emerged onto East Ridge Road with the footwear worn by the seven aliens and found several matches.

12. During their investigation, USBP agents were told by a local resident, who lived within one mile of the area where the shoeprints emerged onto East Ridge Road, that a black Chevrolet Tahoe was in the area before dark on July 23, 2019. The resident described the vehicle as traveling slowly as if the driver was looking for something.

13. Based on my training and experience, and supported by the foregoing facts, I have probable cause to believe Margarito Lucero-Luis violated Title 8, United States Code, Section 1324(a)(1)(A)(ii).

I, Timothy C. Taber, hereby swear under oath that the information set forth in this affidavit is true and correct to the best of my knowledge, information, and belief, and that I make this oath under pains and penalties of perjury.

Dated at Bangor, Maine this 26th day of July 2019.



Timothy C. Taber
Special Agent
Homeland Security Investigations

Sworn and subscribed before me this 26th day of July, 2019.



John C. Nivison
United States Magistrate Judge